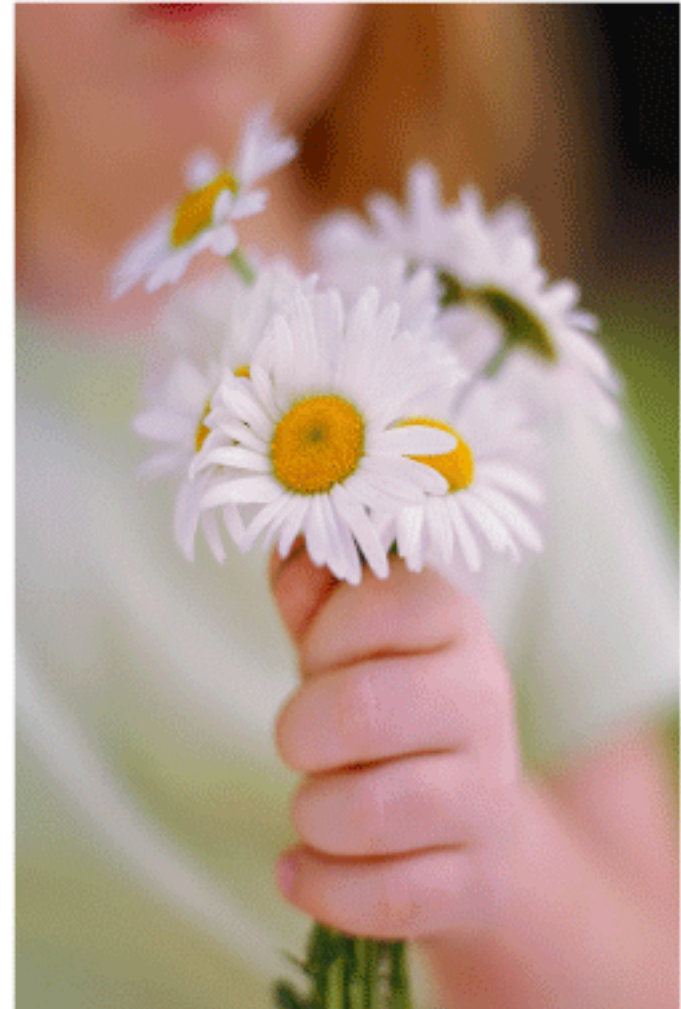


# SEXUAL ASSAULT: PREVENTION AND RESPONSE



**USARJ Sexual Assault**  
Contact: DSN 263-4782



A USARJ HANDBOOK

## **Resources**

### **Sexual Assault Response Coordinator, Victim Advocate**

263 4782

Hours of Operation: 0730-1630

*Restricted Reporter*

### **Behavioral Health Services**

Duty Hours: 263 4610 • Non-Duty Hours: 090 8054 8363

Hours of Operation: 24/7

*Restricted Reporter*

### **MEDDAC**

On Post: 263 4127 • Off Post: 046 253 5536

Hours of Operation: 24/7

*Restricted Reporter*

### **Chaplain**

Duty Hours: 263 4898 • Non-Duty Hours: 090 8050 8932

Hours of Operation: 24/7

*Restricted Reporter*

### **MP Desk**

263 3002

Hours of Operation: 24/7

*Unrestricted Reporter*

### **Tokyo English Life Line (TELL)**

Anonymous Counseling: 03 5774 0992

In Person Counseling: 03 3493 0231

Hours of Operation: 0900-2300 (Anonymous)

By appointment (In Person)

*Restricted Reporter*

## USARJ VALUES

### HONOR

Live up to all the USARJ values.

### INTEGRITY

Do what's right, legally and morally.

### COURAGE

Moral strength. Face fear, danger or adversity (physical or moral).

### SERVICE BEFORE SELF

Place the needs of the many over the needs of the individual.

### COMMITMENT

Total Dedication to your Branch of Service and country.

### RESPECT

Treat people as they should be treated.

### LOYALTY

Bear true faith and allegiance to the U.S. Constitution, the USARJ, your unit, and other USARJ personnel.

### EXCELLENCE IN ALL WE DO

The difference between simply getting by and striving for perfection.

### DUTY

Fulfill your obligations.

### SELFLESS SERVICE

Put the welfare of the nation, the USARJ, and your subordinates before your own.

**USARJ PERSONNEL ARE  
ASSETS TO BE PROTECTED.**



Commanding General  
United States Army Japan & 9th TSC  
APO AP 96343  
August 2005

Sexual assault is a criminal offense that can leave the victim with physical, psychological and/or social scars that can last a lifetime. These negative consequences of sexual assault not only impact the victim but often those in support of the victim. It degrades mission readiness by devastating the Army's ability to work as a team.

The Army is committed to ensuring that sexual assault victims are protected, treated with dignity and respect, and provided support, advocacy, and care. Army policy promotes sensitive care and confidential reporting of sexual assault and accountability for those who commit these crimes.

This handbook highlights the USARJ sexual assault prevention program and reinforces the Department of Defense's commitment to eliminating sexual assault. I encourage each of you to read, understand, and support this policy on all levels.

There is "zero tolerance" for sexual assault and every member of the USARJ community must know that I am committed to maintaining a workplace environment that rejects sexual assault and attitudes that promote such behaviors.

Elbert N. Perkins  
Major General, US Army  
Commanding

## WHAT IS SEXUAL ASSAULT?

It's **ANY** actual or attempted sexual touching without consent.

SPECIFICALLY, it is a CRIME involving RAPE (Art. 120), SODOMY (Art. 125), INDECENT ASSAULT (Art. 134) and CARNAL KNOWLEDGE.



### **Sexual assault is punishable**

under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws.

### **Sexual assault is incompatible with**

US Army, Japan (USARJ) values and is a violation of:

- Basic human dignity
- Standards of decency
- Trust



### **Sexual assault will not be tolerated**

-- Leaders at all levels and anyone with knowledge of a sexual assault will immediately report it to USARJ law enforcement agencies.

-- Reports of sexual assault will be thoroughly investigated and any person perpetrating sexual assault on another person personnel will be prosecuted.

## What is the Policy on Sexual Assault?

Quite simply, USARJ has zero tolerance for sexual assault and rape. They are incompatible with USARJ high standards of professionalism and discipline.

### **It is USARJ policy to:**

- Provide annual Sexual Assault Awareness and Prevention Training that focuses on prevention education, risk-factor awareness, reporting procedures, ways to avoid becoming a victim, appropriate dorm/barracks behavior, the correlation between sexual assault and alcohol abuse and victim support care and services.
- Institute procedures to create an environment free from sexual assault in all USARJ facilities, work spaces, dorms/barracks, family housing and recreational facilities.
- Immediately assign a Sexual Assault Victim Advocate to the victim and ensure the availability of all desired victim services.
- Treat all victims of sexual assault with fairness, dignity, respect and sensitivity.
- Protect the privacy of the victim and avoid re-victimization.
- The victim now has the option of electing restricted or unrestricted reporting. USARJ encourages unrestricted reporting but supports restricted reporting.

## **Authorities play a key role.**

These include commanders, supervisors, law enforcement, legal and health-care personnel.

If you are in a position of authority:

- Enforce the USARJ policy on sexual assault and encourage subordinates to encourage it, too.
- Treat each incident seriously by following proper guidelines – the victim should never be blamed on past history.
- Inform each party of their Rights under Public Law 101-6470.
- Report the allegation to law enforcement for a thorough investigation.
- Keep all information confidential -- it's the right of the accuser and the accused.

## **Sexual Assault**

can adversely affect the whole command. Military members fear for their safety and lose trust in their command's leaders, which causes combat readiness to suffer.

### **The motive for most sexual assaults is not sex.**

Most sexual assaults are motivated by anger, or a sense of power, and a need to control, humiliate or harm.

### **Most sexual assault victims do not report the crime or seek help.**

Many victims are embarrassed or ashamed. They may suffer from:

Physical injuries related to the assault  
Fear of and loss of trust in others  
Depression and feelings of helplessness  
Low self-esteem  
Anger and guilt



**Sexual assault is never excusable!**



## Types of Sexual Assault

**Rape:** Any person, who commits an act of sexual intercourse with another individual, by force and without consent, is guilty of rape and includes the following:

**Physical Force:** An act of forced sexual intercourse without consent.



**Constructive Force:** The use of threats, intimidation or the abuse of authority, which can cause the victim to believe that death or injury would occur if he or she resisted.

**Non-Stranger Rape:** An attack by someone the victim knows.

**Stranger Rape:** An attack by someone not known to the victim.

**Marital Rape:** Any forcible intercourse by the victim's spouse without consent.

**Sodomy:** Any person who engages in unnatural carnal copulation with another person of the same or opposite sex or with an animal is guilty of forcible sodomy. Penetration, however slight, is sufficient to complete the offense.

**Intent:** An attack in which the offender intends to rape or sodomize another person

**Indecent Assault:** Any person who attempts or offers with unlawful force or violence to do bodily harm to another person, whether or not the attempt or offer is consummated, to gratify his or her sexual desires

**Carnal Knowledge:** Sexual intercourse with a person, not a spouse, under the age of 16.

## Victim's Rights and Restitution Act of 1990

Provides protection and assistance for victims and witnesses. Victims have the right to:

- Be treated with fairness and with respect for their dignity and privacy.
- Be reasonably protected from the accused offender.
- Be notified of court proceedings.
- Be present at all court proceedings, unless determined otherwise by the court.
- Talk with the attorney for the government case.
- Seek restitution.
- Receive information about the conviction, sentencing, imprisonment and release of the offender.



## Response to Sexual Assault Continued

### If you know someone who has been sexually assaulted:

- Listen to the victim and believe him or her. Do not ask the victim what he or she did to cause the incident or why he or she reacted a certain way.
- Encourage the victim to report the crime. Support the victim and show respect.
- Suggest counseling. Counselors and victim advocates can help reduce a victim's stress.



## Sexual Assault Myths and Facts

**Myth:** The rapist is usually a stranger.

**Fact:** Most sexual assault victims know their assailants.

**Myth:** Sexual assault affects only women.

**Fact:** Men suffer 10% of all reported sexual assaults.



**Myth:** Only young and attractive people are sexually assaulted.

**Fact:** Everyone, regardless of age or physical attractiveness, is a potential victim of sexual assault.

**Myth:** Sexual assault happens only to people who are “asking for it” by being provocative.

**Fact:** Nobody asks to be sexually assaulted, even those who act or dress provocatively. Some victims are selected because they appear vulnerable. They may be intoxicated, too young, or otherwise lack the mental, physical or emotional ability to resist or consent to sexual activity.

## More Sexual Assault Myths and Facts

**Myth:** Rape is no big deal -- it's only sex.

**Fact:** Rape is always a big deal. Its effects are often devastating. It is a crime that is punishable under the UCMJ and other federal and state laws.

**Myth:** No one person can rape another person.

**Fact:** It takes only one person to commit rape. The rapist may use physical force, intimidation, constructive force or a weapon.

**Myth:** Most rapes are interracial (assailants and victims are different races).

**Fact:** Most rapes are intra-racial (assailants and victims are the same race).

**Myth:** Most rapes are spontaneous (a rapist sees a victim and attacks).

**Fact:** Most rapes are planned. The assailant may learn the potential victim's daily routine, and test his or her reaction to hostile sexual remarks to see if he or she can be intimidated.

**Myth:** Rapists don't look like other people.

**Fact:** Most rapists have no obvious sign of being different from anyone else.

**If you are sexually assaulted,**  
it's not your fault! No one ever deserves to be sexually assaulted.

**If you have been attacked,**  
Consider these steps:

- Get to a safe place.
- Call the local or military law enforcement or emergency room immediately.
- Do not shower, bathe, douche, change clothes, brush your teeth or hair, or otherwise "clean up."  
And do not eat or drink anything...you could destroy evidence.
- Do not clean up the area where the assault took place.
- Call a friend Request the services of a Sexual Assault Victim Advocate.
- If you prefer, go directly to the hospital emergency room and have medical personnel notify the military law enforcement officials.
- Take a change of clothing with you -- the clothes you wore at the time of assault will be kept as evidence.



## Tips Continued

### Avoid alcohol and other drugs.

Alcohol and other drugs can cloud your judgment and impair your ability to respond quickly. They can alter the thinking of others, too.

### Examine your own behavior and views.

Have you ever lost control of your own behavior? Have you actively or passively participated in conversations that hurt others or that could make you a victim? Have you ever continued aggressive sexual behavior after being told no?

Consider your own attitudes and actions. If you have any doubts about how others are understanding you, make sure you communicate clearly and seek clear feedback.



### You have the right to say “NO” whenever you want.

This means you can say no even if you:

- have been making out
- have been drinking
- have had sex before
- said “yes” and then changed your mind
- think your partner will say “you owe me”
- are wearing sexy clothes
- think your partner will get angry.

## More Sexual Assault Myths and Facts

**Myth:** You are only a rape victim if you are hysterical or bruised.

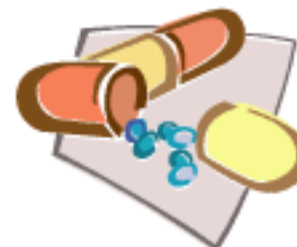
**Fact:** Many rape victims who appear calm and collected are suffering from Rape Trauma Syndrome. Victims may not be bruised, cut or beaten.

**Myth:** Most rapes are reported.

**Fact:** Although some rapes are reported, many more go unreported because the victims are embarrassed or ashamed. Some victims are afraid they won't be believed. Others may worry that the rapist will seek revenge if they report the case.

### ALCOHOL & DRUGS

Alcohol and drug use, by the assailant and/or victim, is one of the most common factors contributing to date/acquaintance rape. Alcohol can weaken judgment and hurt the ability to recognize and respond if the situation gets out of hand. Use of alcohol and other drugs does not excuse SEXUAL ASSAULT -- assailants are responsible for their actions.



## Tips for preventing Sexual Assault

### Examine the myths and stereotypes.

The stereotypes of assailants and victims are often wrong. Recognize this, and consider USARJ values.

### Communicate your limits.

Don't be afraid of hurting someone's feelings if you have any doubts about your safety. If someone makes unwanted and inappropriate sexual advances, say "NO" loudly, forcefully and frequently. Look out for your friends when you go out to ensure no one is put in a compromising situation.

ABOUT

US

### Trust your instincts and stay alert

Rape can happen to anyone. Remember, dark alleys are not the only places where rapes occur. New people and new places can be risky. Spend time with someone new while you are with a group of people -- before being alone with him or her. Trust your own judgment and intuition.



## Tips for Preventing Sexual Assault

### Be prepared.

- When on a date, drive yourself or bring enough money for taxi fare.
- Communicate your sexual limits early and clearly. Don't be afraid of hurting the other person's feelings.

### Be safe.

- If you feel you may be getting into an uncomfortable situation, get to a safe place as soon as possible.
- Don't drink or use drugs. If you do drink, never leave your drink unattended.

### Be assertive.

- If someone is pressuring you to have sex and you don't want to, say no clearly. Move away from the person while saying no.
- If the person does not listen, say, "Stop! You're raping me!"
- Try to escape. If there are people nearby, make a lot of noise. If necessary and if you feel you can do so without putting yourself at greater risk, fight back.

### Be aware.

Watch for signs that trouble may be coming. For example, there may be further trouble if:

- The other person won't stop when you say no.
- He or she threatens to hurt you.
- He or she physically restrains you.
- The person uses or threatens to use a weapon.
- He or she tries to have sex with you when you are too drunk to say no.
- The person suggests something bad may happen to you if you don't give in.